

ATTORNEY DOCKET NO.  
069078.0110

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SERIAL NO.  
10/053,026

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THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

James M. Florence

U.S. Patent Serial No.:

10/053,026

Filing Date:

January 18, 2002

Examiner:

Layla G. Lauchman

Group No.:

2877

Confirmation No.:

2122

Title:

**METHOD AND APPARATUS FOR ADDING OR  
DROPPING A COMPONENT OF AN OPTICAL  
SIGNAL**

**RECEIVED**

APR 20 2004

Technology Center 2100

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

*R. Cisneros de Chairez, PLS*  
Roseanne Cisneros de Chairez, PLS

Date: April 16, 2004

**REQUEST FOR CONSIDERATION OF AN INFORMATION  
DISCLOSURE STATEMENT TIMELY FILED**

For reasons set forth below, it is respectfully requested that the PTO file for this application be promptly forwarded to Examiner Layla G. Lauchman, for confirmation that the references listed on PTO-1449 attached to the Information Disclosure Statement filed April 5, 2002 have been considered.

On April 5, 2002 Applicant filed an Information Disclosure Statement (IDS) with PTO-1449 form (three (3) pages) attached, listing the references submitted for consideration. Copies of the cited references were also included. This IDS was received at the U.S. Patent and Trademark Office on April 15, 2002 as shown on the returned, date-stamped postcard,

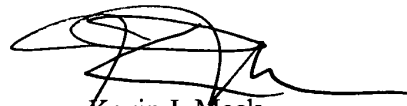
DAL01:790814.1

copy of which is attached. For the convenience of the Examiner, a copy of the Information Disclosure Statement and the cited references filed April 5, 2002 are enclosed.

An Office Action for this application was mailed on April 5, 2004. However, Examiner Layla G. Lauchman has not returned a copy of the PTO-1449 form indicating consideration of the references cited in the Information Disclosure Statement filed April 5, 2002.

Accordingly, **Applicant hereby requests confirmation of consideration of the previously filed Information Disclosure Statement.** Examiner Layla G. Lauchman is requested to initial the references listed on the PTO-1449 form to show that they were appropriately considered during examination of this Application. The Commissioner is hereby authorized to credit any overpayment, or to charge any additional fee required by this paper, to Deposit Account No. 02-0384 of Baker Botts L.L.P.

BAKER BOTTS L.L.P.  
Attorneys for Applicant



Kevin J. Meek  
Reg. No. 33,738

2001 Ross Avenue, Suite 600  
Dallas, Texas 75201-2980  
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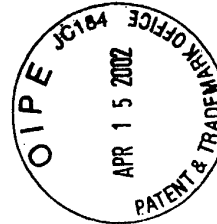
Enclosures: Copy of Information Disclosure Statement filed April 5, 2002  
with Form PTO-1449 and copies of the cited references;  
Copy of acknowledgment post card showing  
date stamp of April 15, 2002.

DAL01:790814.1



The "Received" stamp of the Patent and Trademark Office imprinted hereon acknowledges the filing of:

<input type="checkbox"/> New Appln.; C.P.A.; Con.; CIP.; Div.; <input type="checkbox"/> Provisional; Converted Provisional (Specification, Claims, Abstract) <input type="checkbox"/> Bibliographic Data Sheet <input type="checkbox"/> Declaration/power of Attorney <input type="checkbox"/> Assignment <input type="checkbox"/> Verified Statement <input type="checkbox"/> Formal Drawing <input type="checkbox"/> Informal Drawings <input type="checkbox"/> Amendment/Response		<input type="checkbox"/> Mo. Extension of Time <input type="checkbox"/> Notice of Appeal <input type="checkbox"/> Appeal Brief <input type="checkbox"/> Issue Fee Transmittal <input type="checkbox"/> Check No. _____ Amt.: _____ <input type="checkbox"/> Check No. _____ Amt.: _____ Serial No. <u>101053026</u> Other <u>IDS w/PTO Form 1449 &amp; one document</u>	Total Pages _____ Total Pages _____
Name of Inventor(s): <u>James M. Florence</u> Title of Invention: <u>for adding in, dropping in</u> Client or Applicant: <u>ELCAN</u>		Receipt Date & Serial No.: _____	
Mailed: <u>4/5/2002</u> Due: _____ Atty/Secy: <u>JMS/JB</u>		Certificate of Mailing <input type="checkbox"/> Express Mail Receipt No.: _____ Certificate of Mailing <input checked="" type="checkbox"/> First Class Mail <input type="checkbox"/> Hand Delivered	



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PATENT APPLICATION



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: James M. Florence

Serial No.: 10/053,026

Filing Date: January 18, 2002

Group No.: Unknown

Examiner: Unknown

Title: METHOD AND APPARATUS FOR ADDING OR  
DROPPING A COMPONENT OF AN OPTICAL  
SIGNAL

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APR 20 2004

Technology Center 2100

Assistant Commissioner  
for Patents  
Washington, D.C. 20231

Sir:

I hereby certify that this correspondence, with enclosures, is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on the date shown below.

Name Judy Baggett  
Date: 4/5/2002

SECOND INFORMATION DISCLOSURE STATEMENT

Pursuant to the provisions of 37 C.F.R. §§ 1.56, 1.97 and 1.98, Applicant is identifying in this application a related copending application. The copending application is listed on enclosed Form PTO-1449, and Applicant is enclosing a copy of the text and drawings of the related application. This Information Disclosure Statement is being submitted prior to issuance of a first Office Action, and it is thus believed that no fee is due for filing of this Information Disclosure Statement.

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069078.0110

PATENT APPLICATION

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Favorable consideration of this patent application  
is respectfully requested.

Respectfully submitted,  
BAKER BOTTS L.L.P.  
Attorneys for Applicants

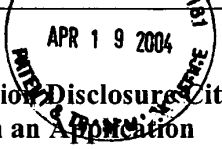
COPY

T. Murray Smith  
Reg. No. 30,222  
(214) 953-6684

BAKER BOTTS L.L.P.  
2001 Ross Avenue  
Suite 600  
Dallas, TX 75201-2980

Date: April 5, 2002

Enclosures: Form PTO-1449, and one copy  
of listed document

PTO-1449		Application No. 10/053,026	Applicant(s) James M. Florence	
		Docket Number 069078.0110	Group Art Unit Unknown	Filing Date 01/18/02

Information Disclosure Citation  
In an Application

## U.S. PATENT DOCUMENTS

		DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE
	A						
	B						
	C						
	D						
	E						
	F						
	G						
	H						
	I						
	J						
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## FOREIGN PATENT DOCUMENTS

		DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO
	M						--	
	N						--	
	O						--	
	P							
	Q							

## DOCUMENT (Including Author, Title, Source, Pertinent Pages, and Date)

R	U.S. Serial No. 10/052,940 filed January 18, 2002, entitled "METHOD AND APPARATUS FOR ADDING AND DROPPING OPTICAL SIGNAL COMPONENTS", by inventors Clay E. Towery et al., 35 pages of text and 6 pages of drawings. (Attorney Docket No. 069078.0108, ET009)
S	
T	

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.

U.S. PATENT AND TRADEMARK OFFICE